

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 3:22-CR-00327
)	
[1] CHESTER GALLAGHER)	JUDGE TRAUGER
[2] HEATHER IDONI)	
[3] CALVIN ZASTROW)	
[4] COLEMAN BOYD)	
[6] PAUL VAUGHN)	
[7] DENNIS GREEN)	
[8] EVA EDL)	
[9] EVA ZASTROW)	
[11] PAUL PLACE)	

UNOPPOSED AND JOINT MOTION TO ENLARGE TIME TO FILE 404(B)
OBJECTIONS AND RELATED DEADLINES

COME NOW Defendants Chester Gallagher, Paul Vaughn, Coleman Boyd, Eva Edl, Dennis Green, Heather Idoni, Paul Place, Calvin Zastrow, and Eva Zastrow¹, by and through counsel, and hereby request additional time to October 27, 2023 to file their objections to the government's 404(b) notice that was provided on October 6, 2023, and the government's responses to those objections would be due November 13, 2023.

In support of this motion, the defendants submit the following:

As of the last status conference on August 4, 2023, the parties have engaged in plea negotiations, some of which have been complicated by some of the defendants' other pending matters. The plea negotiations took longer than anticipated resulting in the government providing the defendants with additional time to confer with counsel about their respective plea proposals.

¹ Undersigned counsel has not heard back from counsel for codefendant, James Zastrow, so counsel left Mr. Zastrow off the motion.

As a result of this additional time, the government provided their 404(b) notice on October 6, 2023, by agreement of the parties, later than originally anticipated. The Court's scheduling order provides that any objections are due by October 13, 2023 (DE 298). The government's October 6 2023 notice was accompanied by additional discovery related to the 404(b) matters and indicated that "in the coming days" more discovery would be provided to the parties pertaining to incidents in Michigan that the government intends to introduce under Rule 404(b) at the trial of this matter. During the late afternoon of October 11, 2023, undersigned counsel were notified that additional discovery was available for pick up at the U.S. Attorney's Office.

Due to the late notice and outstanding discovery pertaining to various incidents, the defendants need additional time to review, research and respond to the government's notice. The parties have agreed, subject to the court's approval, to file any objections to the government's 404(b) notice by October 27, 2023 with the government filing their responsive pleadings by November 13, 2023. This additional time should not affect the other dates outlined in the Court's August 7, 2023 scheduling order (DE 298).

Undersigned counsel has specifically conferred with Assistant United States Attorney Amanda Klopf and Ms. Klopf has no objection to this filing and is in agreement with the proposed dates.

Based upon the foregoing, undersigned counsel for the defendants request that the Court grant the instant motion ordering that Rule 404(b) objections be filed by October 27, 2023 and that the government respond by November 13, 2023.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion to Continue was filed electronically and served on the following by the EF/CME electronic filing system:

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This the 11th day of October, 2023.

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